

**PATENT APPLICATION
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**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S): Robert Sesek, et al. **CONFIRMATION NO:** 8439
SERIAL NO.: 10/692,379 **GROUP ART UNIT:** 2625
FILED: October 23, 2003 **EXAMINER:** Garcia, Gabriel I.
SUBJECT: System To Communicate The Present Status Of A Job Queue

APPELLANTS'/APPLICANTS' OPENING BRIEF ON APPEAL

1. REAL PARTY IN INTEREST.

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

2. RELATED APPEALS AND INTERFERENCES.

There are no other appeals or interferences known to Appellants, Appellants' legal representative or the Assignee which will affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS.

Claims 1-18 and 25 are pending. Claims 19-24 and 26-28 have been canceled as being drawn to a non-elected invention. The rejections of all pending claims are appealed.

4. STATUS OF AMENDMENTS.

No amendments have been filed after the final action was entered. All previous amendments have been entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER.

Claim 1 recites a method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs. The method includes controlling a display device to display a plurality of images. See e.g., Specification, page 4, line 17 through page 5, line 12; paragraphs [00030]-[00035]; and Figure 3, steps 302-306. Each image is a print preview image of a different one of the plurality of print jobs in the job queue. See e.g.,

Specification, page 4, line 17 through page 5, line 12; paragraphs [00030]-[00035]; and Figure 3, steps 302-306.

Claim 5 depends from Claim 1 and recites additional steps that include receiving a request to view multiple pages of a selected one of the images. See e.g., Specification, page 7, lines 11-25; paragraphs [00046]-[00047]; and Fig. 4C. The selected image is a print preview image of a single page of a first job from the plurality of jobs. See e.g., Specification, page 7, lines 11-25; paragraphs [00046]-[00047]; and Fig. 4C. In response to the request, the display device is controlled to display a print preview image of multiple pages of the first job. See e.g., Specification, page 7, lines 11-25; paragraphs [00046]-[00047]; and Fig. 4C.

Claim 10 recites a printing device serviced by a job queue. The printing device includes means for receiving a request for the present status of the job queue. See e.g., Specification, page 3, lines 23-32; page 4, lines 20-24; paragraphs [00026]-[00027], and [00031]; Fig 2, part 206. The printing device also includes means for responding to the request by (i) generating a print preview image of at least some of the jobs in the job queue when the job queue includes a plurality of jobs, and (ii) displaying the print preview images. See e.g., Specification, page 3, line 33 through page 4, line 4; page 4, line 25 through page 5, line 2; paragraphs [00028] and [00032]-[00033]; Fig 2, part 202.

Claim 16 recites a printing device that includes a display device and a controller. See e.g., Specification, page 3, lines 16-22 and page 3, line 33 through page 4, line 4; Figs. 1 and 2, elements 202 and 114. The controller includes that capability to (a) generate a print preview image of a job in a job queue, and (b) control the display device to display the print preview image. See e.g., Specification, page 3, line 33 through page 4, line 4; page 4, line 25 through page 5, line 2; paragraphs [00028] and [00032]-[00033]; Fig 2, part 202.

Claim 25 recites a method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs. The method includes receiving a request from a client. See e.g., Specification, page 9, lines 19-25; paragraph [0057]; and Fig. 7, step 706. The request is responded to by transmitting at least one image to the client. See e.g., Specification, page 9, lines 19-25; paragraph [0057]; and Fig. 7, step 708-710. The image is a print preview image of one of the plurality of jobs. See e.g., Specification, page 9, lines 19-25; paragraph [0057]; and Fig. 7, steps 708-710.

6. GROUNDS FOR REJECTION TO BE REVIEWED.

A. Claims 1-18 and 25 stand rejected under 35 USC §102(e) as being anticipated by USPN 6,618,163 issued to Roosen.

7. ARGUMENT.

Grounds For Rejection A – Claims 1-18 and 25 stand rejected under 35 USC §102(e) as being anticipated by USPN 6,618,163 issued to Roosen.

For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

Claim 1 is directed to method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs. That method includes:

1. controlling a display device to display a plurality of images; and
2. wherein each image is a print preview image of a different one of the plurality of print jobs in the job queue.

Addressing Claim 1, the Examiner asserts area 22 of user interface window 20 of Rosen's Figure 8 (reproduced below) teaches displaying a plurality of images where each image is a print preview image of a print job in a job queue. The Appellant respectfully disagrees.

Roosen describes displaying printer status information as depicted in Figure 8.

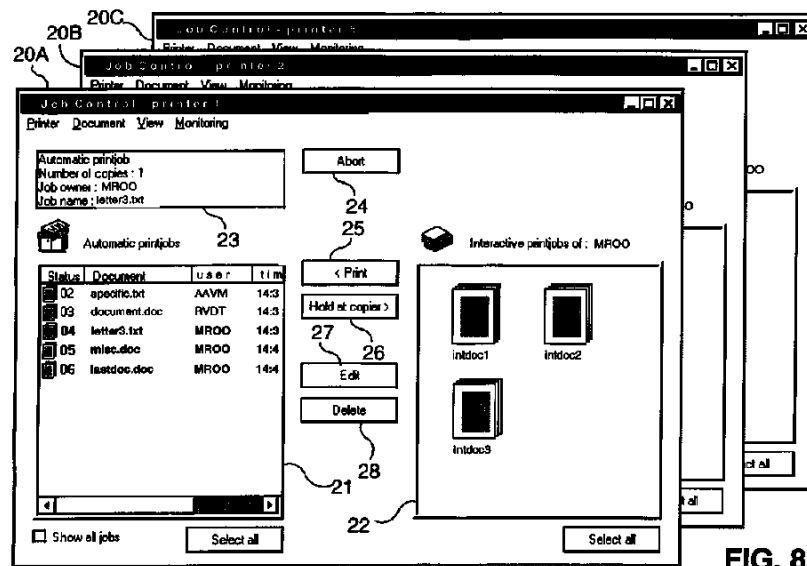


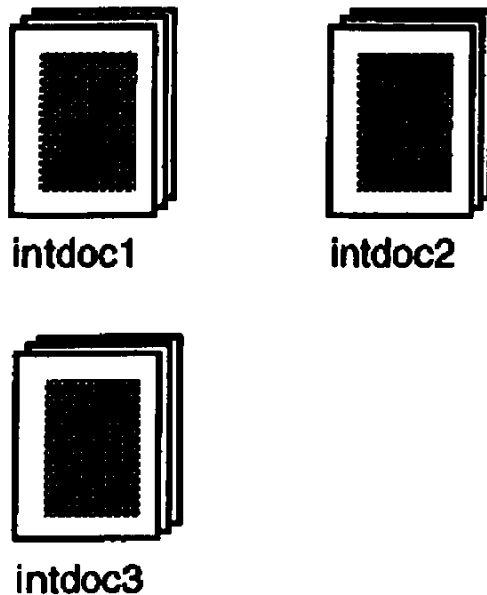
FIG. 8

As depicted, window 20A includes areas 21, 22, and 23. According to Roosen, "Area 21 contains the queue of automatic print jobs of the user." Roosen, col. 7, lines 30-31. Automatic print jobs are files submitted to the printer to be printed automatically without further user interaction. Roosen, col. 4, lines 9-14. With respect to area 22, Roosen states;

Area 22 contains an overview of waiting interactive print jobs of the user, here **reproduced with icons** with a name, which corresponds to the character of the jobs, which are **not in a queue** but do not become operative until the user starts them on the operator control panel. To obtain more information concerning these jobs, the user can also have them presented in a detailed list.

Roosen, col. 7, lines 42-48 (emphasis added).

The “icons” displayed in area 22 are not print preview images let alone print preview images of print jobs in a job queue Roosen expressly states that the icons in area 22 are NOT in a queue. Furthermore, Roosen plainly refers to the contents of area 22 as “icons.” An icon is a pictorial representation or image. The following is an enlarged view of the contents of area 22.



Plainly, none of these icons is a print preview image. Instead, they are identical generic graphical representations of an interactive print job.

For an explanation of a print preview image, attention is drawn to paragraph [00033] of the specification which states:

[00033] As used herein, a “print preview” image of a print job refers to an image that shows how at least one page of a print job will look after printing. Thus, a print preview image of a multi-page job may be an image of the first page of the job or of multiple pages of the job. In this embodiment, the printing device 104 operates, at step 304, to generate a print preview image of the first page of each job that is presently in the job queue.

Viewing Roosen's Figure 8, one can easily ascertain that the icons included in area 22 are not images that show how at least one page of a print job will look after printing.

Consequently, Roosen fails to teach or suggest "wherein each image is a print preview image of a different one of the plurality of print jobs in the job queue" as recited in Claim 1. For at least these reasons, Claim 1 is patentable over Roosen as are Claims 2-9 which depend from Claim 1

Claim 5 ultimately depends from Claim 1 and adds the following limitations:

1. receiving a request to view multiple pages of a selected one of the images, wherein the selected image is a print preview image of a single page of a first job from the plurality of jobs; and
2. in response to the request, controlling the display device to display a print preview image of multiple pages of the first job.

Addressing Claim 5, the Examiner makes the following statement at pages 3-4 of the final office action:

With regard to claim 5, Roosen et al. further teaches receiving a request to view multiple pages of a selected one of the images, wherein the selected image is a print preview image of a single page of a first job from the plurality of jobs; and in response to the request, controlling the display device to display a print preview image of multiple pages of the first job (e.g. col. 6, lines 34-49, which allow the manipulation of documents allowing the viewing of documents with more than one page).

Paragraphs from the cited passage are reproduced as follows:

The user can select one of the symbols, and hence one of the printers, and then call up one of the following functions either with a menu in the top bar of the window or with a pop-up menu or the right-hand mouse button:

Displaying the waiting print jobs for the printer concerned; in this function automatic and interactive print jobs are displayed separately and they can also be manipulated. This function forms part of the “Job Control” program module and will be described in detail there. This function can also be called up with a double mouse click on the printer symbol.

Displaying the properties and status of the printer concerned.

Calling up a monitor function which during the work gives information on the display screen concerning the status of the printer concerned.

Roosen, col. 6, lines 34-49.

The cited passage merely discusses displaying print jobs, displaying printer status, and calling a monitor function. The passage mentions nothing at all of “receiving a request to view multiple pages of a selected one of the images” or “controlling the display device to display a print preview image of multiple pages of the first job.” For at least this additional reason Claim 5 is patentable over Roosen.

Claim 10 is directed to a printing device configured to implement the method of Claim 1. For at least the same reasons Claim 1 is patentable so are Claim 10 and Claims 11-15 which depend from Claim 10.

Claim 16 is directed to a printing device configured to implement the method of Claim 1. For at least the same reasons Claim 1 is patentable so are Claim 16 and Claims 17-18 which depend from Claim 16.

Claim 25 is directed to a method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs. The method includes:

1. receiving a request from a client,

2. responding to the request by transmitting at least one image to the client;
3. wherein the image is a print preview image of one of the plurality of jobs.

Addressing Claim 25, the Examiner, at page 4 of the final action, states: "With regard to claims 10-18 and 25, the limitations of claims 10-28 are covered by the limitations of claims 1-9 above." It is apparent that Claim 25 has not been examined. None of Claims 1-9 recite limitations corresponding to those of Claim 25. In particular, Claim 13 recites by transmitting at least one image to the client, where that image is a print preview image of one of the plurality of jobs held in a job queue.

As with Claim 1, Roosen mentions nothing of a print preview images of print jobs held in a job queue let alone transmitting such a print preview image to a client. For at least this reasons, Claim 25 is patentable over Roosen.

Conclusion

In view of the foregoing remarks, Appellant respectfully submits that Claims 1-18 and 25 define allowable subject matter. The Appellant respectfully asks the Board to reverse the rejections and to indicate the allowability of all claims in the application.

Respectfully submitted,
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APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1. (original) A method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs, comprising:
controlling a display device to display a plurality of images; and
wherein each image is a print preview image of a different one of the plurality of print jobs in the job queue.
2. (original) The method of claim 1, wherein the plurality of images are displayed simultaneously.
3. (original) The method of claim 1, wherein the plurality of images are displayed simultaneously and the images are displayed in an arrangement indicative of an order the plurality of jobs are presently lined up in the queue.
4. (original) The method of claim 3, further comprising:
receiving a request to line up the jobs in the job queue in a different order;
in response to the request, rearranging the jobs in the job queue so that the jobs are lined up in the different order; and
in response to the request, controlling the display device to display the images in a modified arrangement, wherein the modified arrangement indicates the jobs are lined up in the different order.
5. (original) The method of claim 3, further comprising:
receiving a request to view multiple pages of a selected one of the images, wherein the selected image is a print preview image of a single page of a first job from the plurality of jobs; and
in response to the request, controlling the display device to display a print preview image of multiple pages of the first job.

6. (original) The method of claim 1, wherein the method is performed by a computer device coupled to a printing device over a communication link; and

wherein the job queue services the printing device.

7. (original) The method of claim 1, wherein the method is performed by a printing device and the display device is local to the printing device.

8. (original) The method of claim 1, wherein the controlling step is not performed until at least one personal identification number (PIN) is received.

9. (original) The method of claim 4, wherein the request is received by a user dragging and dropping at least one of the displayed images.

10. (original) A printing device serviced by a job queue, comprising:
means for receiving a request for the present status of the job queue; and
means for responding to the request by:

(i) generating a print preview image of at least some of the jobs in the job queue when the job queue includes a plurality of jobs; and

(ii) displaying the print preview images.

11. (original) The printing device of claim 10, wherein the responding means displays the print preview images in an arrangement that is indicative of the way the corresponding jobs are lined up in the job queue.

12. (original) The printing device of claim 10, wherein the responding means displays the print preview images in an order based upon an order the corresponding jobs are lined up in the job queue.

13. (original) The printing device of claim 10, further comprising:

means for receiving a selection of one of the displayed images, wherein the selected image is a print preview image of a first job in the job queue;

means for receiving a request to cancel a job the selected print preview image represents; and

means for responding to the request by canceling the first job.

14. (original) The printing device of claim 10, further comprising:

means for receiving a user selection of one of the displayed images, wherein the selected image is a print preview image of a first job in the job queue;

means for receiving a request to suspend a job the selected print preview image represents;

means for responding to the request by suspending the first job.

15. (original) The printing device of claim 10, wherein the responding means simultaneously displays the print preview images on a display device in an arrangement that is indicative of the way the corresponding jobs are lined up in the job queue and the printing device further comprising:

means for allowing a user to change the way the jobs are lined up in the job queue by rearranging the print preview images.

16. (original) A printing device, comprising:

a display device;

a controller; and

wherein the controller includes the capability to:

(a) generate a print preview image of a job in a job queue; and

(b) control the display device to display the print preview image.

17. (original) The printing device of claim 16, wherein the controller includes the capability to:

(c) generate a print preview image of multiple jobs in the job queue when the job queue contains a plurality of jobs;

(d) control the display device to simultaneously display at least some of the print preview images of the multiple jobs.

18. (original) The printing device of claim 16, wherein the controller includes the capability to:

(c) generate a print preview image of a set of jobs in the job queue when the job queue contains a plurality of jobs;

(d) control the display device to simultaneously display the print preview images in an arrangement that indicates the way the set of jobs are lined up in the job queue.

19-24. (canceled)

25. (original) A method in a computer system for communicating the present status of a job queue that contains a plurality of print jobs, comprising:
receiving a request from a client,
responding to the request by transmitting at least one image to the client;
wherein the image is a print preview image of one of the plurality of jobs.

26-28. (canceled)

Evidence Appendix

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.